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Attorneys for Defendant
SCHLOMO SCHMUEL

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

DWIGHT PATENT 10945 MINING LLC,
Plaintiff,

vs.

HML INVESTMENTS, LOUIS
MONTELEONE; SCHLOMO SCHMUEL;
CITY OF NORTH LAS VEGAS; THE
UNITED STATES OF AMERICA, OR A
SUBDIVISION THEREOF,

Defendants.

CASE NO. 2:19-cv-01357-JAD-NJK

ECF Nos. 11, 12, 13, 35

AMENDED

**STIPULATION AND ORDER TO DISMISS PLAINTIFF'S CLAIMS AGAINST
SCHLOMO SCHMUEL WITH PREJUDICE**

WHEREAS, on or about August 6, 2019, Plaintiff Dwight Patent filed the instant action naming Schmucl as a co-Defendant (the "Dwight Patent Lawsuit"). This Complaint requested quiet title and declaratory relief in Dwight Patent's favor wherein Dwight Patent alleged a superior interest to Schmucl's interest for the subsurface mineral rights on the property located at 1740 Hardrock Street, Las Vegas, Nevada, APN: 140-23-810-006 (the "Property"). Dwight Patent

recorded two Notices of Lis Pendens against the Property in the Official Records of Clark County, as Instrument Nos. 20190809-0001263 and 20190813-0001777. At the time of this Agreement, the parties have come to a mutual resolution wherein Defendant Schmucl agrees to pay \$17,500.00 in return for a dismissal with prejudice of the instant action. Therefore,

IT IS HEREBY STIPULATED by and between Plaintiff, Dwight Patent 10945 Mining, LLC and Defendant, Schlomo Schmucl (collectively, the "Parties"), through their undersigned counsel, that Plaintiff's claims against Defendant, Schlomo Schmucl are immediately dismissed with prejudice.

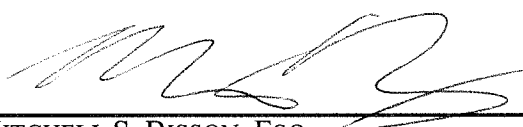
IT IS FURTHER STIPULATED that each party will bear his/its own attorneys' fees and costs associated with this matter.

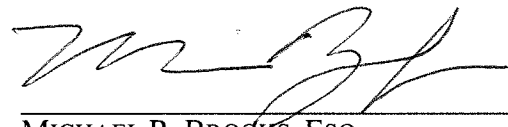
Dated this 3rd day of January 2020.

Dated this 3 day of January, 2020.

CALLISTER & ASSOCIATES

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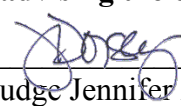

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Attorneys for Defendant
SCHLOMO SCHMUEL

AMENDED ORDER

Based on the stipulation between plaintiff and defendant Schlomo Schmucl [ECF No. 35], which I construe as a joint motion under Local Rule 7-1(c) because it was signed by fewer than all the parties or their attorneys, and with good cause appearing, IT IS HEREBY ORDERED that **ALL CLAIMS AGAINST DEFENDANT SCHLOMO SCHMUEL are DISMISSED with prejudice**, each side to bear its own fees and costs. All pending motions [ECF Nos. 11, 12, 13] are **DENIED as moot**.

Plaintiff has until February 3, 2020, to file a status report advising the court how it will proceed with the remaining claims.


U.S. District Judge Jennifer A. Dorsey
Dated: January 21, 2020